

No. 9 Sept 11 Term, 1912

R. J. McGree

Plt for Private Roads

VERSUS

in Jordan Township

X

✓

L

KNOW ALL MEN BY THESE PRESENTS, that we, R. J.
McNeil and Chas. S. Strong and Lewis A. Hile
are held and firmly bound unto the County of Clearfield in the
sum of fifty dollars (\$50.00) lawful money of the United States of
America for the payment of which we do bind ourselves, our heirs,
executors, and administrators firmly by these presents.

Sealed with our seals and dated the day of August A. D.
1912.

The Condition of this Obligation is such that
whereas the said R. J. McNeil has presented a petition to the
Quarter Sessions Court of Clearfield County praying for the
appointment of viewers to view and lay out a private road lead-
ing from a certain piece of land, containing 25 acres in Jordon
Township, belonging to the said R. J. McNeil, to a point on the
public road leading from Fruit Hill to New Millport.

NOW if the said R. F. McNeil shall save and keep
harmless the County of Clearfield from any and all expenses and
costs that may be attached to or connected with the said public
road or costs for which the County of Clearfield may be liable,
then this obligation to be void or else to be and remain in full
force and virtue.

R. F. McNeil (SEAL)
Chas. S. Strong (SEAL)
Lewis A. Hile (SEAL)

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY, PENNA.

The Petition of R. T. McNeel respectfully represents:-

That he is the owner of certain tracts of land situate in Jordon Township, in said County, upon one of which he resides and has his farm buildings.

That he is the owner of another parcel of land containing about 25 acres and separated from land in which he resides by the lands of *James* McNeel.

That he has no reasonable means of travel from the one parcel land land to the otherboth being improved lands, nor from the 25 acre piece to public highway.

That a road can be laid out from the said 25 acre piece of land to the public road leading from Fruit Hill to New Millport on almost level ground with little damage to the owner of intervening property.

He, therefore, prays that a private road be laid for the use of the petitioner extending from the public road aforesaid, from a point near the barn of petitioner to the said 25 acre piece of land, which is bounded by the lands of *James* McNeel and *Isaac* McCormack, Calvin Strong and others.

And he will ever pray.

R. T. McNeel

Clearfield County, SS;

R. T. McNeel, being duly sworn, according to law doth say that the facts above stated are true and correct, to the best of his knowledge and belief.

Sworn and subscribed,
before me this ²⁰
day of *and* A. D. 1912.

Chas. S. Strong, Jr.

My Compt. for Expns January 1st, 1912

In the Court or Quarter
Sessions of Clearfield Co.
Pa.

Petition of R. T.
McNeel for private
road.

Non-definable Dam
1912 written petition
presented read and
considered and after
upon hearing having
of J. D. Crowley and J.
Bell are appointed
Petition to non-definable
Dam and may be
in protest at next term
for the County
of Union
R. T. McNeel

Recd of Hulmeck

KUNTE BROS., CLEARFIELD, PA.

Clearfield County, ss:

At a Court of Quarter Sessions of the Peace of the County of Clearfield, held at Clearfield, Pa., in and for said County, on the second day of September in the year of our Lord one thousand nine hundred twelve,

Allison Q. Smith, president

Judge of the same Court: Upon the petition of R. T. McNeel, suadry inhabitants of the Township of Jordan

in said County, setting forth that he is the owner of a certain tract of land situated in Jordan Township, in said County upon one of which he resides and has his farm buildings. That he is the owner of another piece of land containing about 25 A. and separated from the land in which he resides by the lands of Jas. McNeel, - That he has no reasonable means of travel from one parcel of land to the other both being improved lands, nor from the 25A. piece to the public highway. That a road can be laid out from the said 25A. piece of land to the public road leading from Fruit Hill to New Mill fort on almost level ground with but little damage to the intervening properties,

and therefore, praying the Court to appoint proper persons to view and lay out the road between the points mentioned, whereupon the Court upon due consideration had of the premises, do order and appoint from and among the County Board of Viewers Harry Byers, J. S. McGreery and J. W. Gill

who have been duly appointed by the Court and filed their oaths of office and are duly qualified to perform the duties of their appointment with impartiality and according to the best of their judgment, are to view the ground proposed for the said road, and if they view the same, and a majority of the actual viewers agree that there is occasion for such road, they shall proceed to lay out the same, as agreeable to the desire of the petitioner, as may be, having respect to the best ground for a road and the shortest distance, in such a manner as to do the least injury to private property; and shall make report thereof, stating particularly whether they judge the same necessary for a public or private road, together with a plot or draft thereof, and the courses and distances and references to the improvements through which the same may pass; (and wherever practicable, the viewers shall lay out the said road at an elevation not exceeding five degrees, except at the crossing of ravines and streams, when by moderate filling and bridging the declination of the road may be preserved within that limit,) to the next Court of Quarter Sessions to be held for the said County.

And if the viewers aforesaid shall decide in favor of locating a ^{private} public road, they shall obtain from the persons through whose lands the said road shall pass, releases from any damages that may arise to them on opening the same; but if the owner or owners of such land refuse to release their claim to damages, the said viewers shall assess the same, taking into view the advantages as well as disadvantages arising from said location, and make report of such assessments; which report they shall in like manner transmit to the next Court of Quarter Sessions, with the draft or plot aforesaid. In which said reports they shall state that they have been sworn or affirmed according to law, and that due and legal notice was given of the time when, and place where, they should meet, to view and lay out said road, and the time and place of hearing.

By order of the Court.

John Moore, Clerk.

RETURN OF VIEWERS.

To the Honorable the Judge of the Court of Quarter Sessions of the Peace for the County of Clearfield:

We, the undersigned viewers, duly appointed by your Honorable Court by the foregoing order, from and among the County Board of Viewers who have been duly appointed by your Honorable Court and have filed their oaths of office in the Court of Common Pleas of Clearfield County, beg leave to report as follows:

That notice of the time of view and of the hearing day was duly served according to law upon ~~Landowner the Commissioners of Clearfield County and the Board of Supervisors of the Township of~~ ^{of S. Mc Neil} ~~named in report & off~~ and that I noticed thereof ~~was~~ were posted along the route of the proposed road, that the said view would be held on the 4th day of October, A. D. 1912, and the hearing to be held in the Arbitration room, at the Court House, in Clearfield, ~~no further hearing to be held or asked for~~ ^{on the 10th} at ~~o'clock~~ M. That

3 viewers appointed by the said order viewed the ground proposed for the above mentioned road, and that there were present at the view R T Mc Neil and Harry Mc Neil representing Jas. Mc Neil

parties in interest. That the hearing was held in the Arbitration Room, in the Court House, at Clearfield, Pa., on the 4th day of October, A. D. 1912, when the following appearances were noted:

After the view and hearing above mentioned, the undersigned, the majority of the said viewers, do agree that there is no occasion for a road as desired by the petitioner, and that the same is not necessary for a private road: And having had respect to the shortest distance and the best ground for such road we have laid out in such manner as shall do the least injury to private property, and as far as practicable agreeably to the desire of the petitioner, and do return for private use the following described road, to-wit: Beginning at fork on line of 25 acre lot of R T Mc Neil in Jordan Township, thence through land of James Mc Neil along edge of wooded land N 67° E 148 feet, N 60° E 147 feet N 85° 30' E 189 feet, S 82 1/2° East 156 feet, South 81° East 185 feet thence across joint of improved land of said James Mc Neil South 80° E 29 1/3 feet to line of land of R T Mc Neil running N 35° W thence through field of R T Mc Neil S 62 1/2° E 560 feet to road (public) leading from Fruit Hill to New Mill post at base near said R T Mc Neil's farm, The total length of road laid out being 1638 feet and distance through land of James Mc Neil being 1078 feet

NOTE.—In case of a private road, the release must be executed in favor of the petitioner for said road.

Also, viewers will carefully note the number of days employed and set the amount out at the foot of their return.

Viewers cannot interfere with the damages assessed by the original viewers, except so far as the location may be changed by the reviewers.

N. B.—If the viewers believe the parties are not entitled to damages, taking into consideration the advantages as well as the disadvantages of the road, they will report to that effect.

ORDER

To view & lay out a road for private use in the township of Spadeclear, Clearfield County, Pa.

	Days	Miles	Am't.
<u>Harry Boyce</u>	2	2 1/2	50
<u>J. S. M. Cherry</u>	1	4 1/2	40
<u>John Hall</u>	1	12 1/2	20

Appomattox Session, 1912,
read and confirmed Vi. Si.
Road to be opened ~~10~~ feet
wide, except where there is
side hill cutting or embank-
ment and bridging, there to
be ~~10~~ feet wide.

At Clearfield County, Pa.
For Henry Cherry 1913 no ob-
jection or objection being filed
the Court return a grand road
for John Hall to be opened as bounded
by the Court demand in such case
as the Court may direct and if the Court
shall direct the Court to open by the
return of the Court the same as per
Fees \$1.25 paid by John Hall

JOHN H. CHERRY
PROTRO. ORTAN.

RELEASE OF DAMAGES.

Know all men by these presents, that we, the undersigned, owners of lands through which the road located by the viewers, under the annexed order, passes for and in consideration of the sum of one dollar to us respectively paid by

at and before the ensealing and delivery hereof, have remised, released and forever quit-claimed, and do hereby remise, release and forever quit-claim to the said

all damages that may arise to us respectively by reason of the location and opening of the said road, so that neither we nor any of us, nor any person claiming under us, can or may hereafter ask, sue for, demand, have or receive any damages for injuries arising or growing out of the location and opening of the road aforesaid.

Witness our hands and seals this _____ day of _____
A. D. 1911.

SEAL
SEAL
SEAL
SEAL

and that a plan or draft of said road showing courses and distances and the properties affected is hereto attached and made a part hereof, said road being at an elevation not exceeding five degrees, ~~excepting in the said draft attached hereto the courses are reversed from cells in report the starting point being at West end of road land out.~~

when it was not practicable to preserve it within that limit.

The undersigned further report that they endeavored to procure from all the owners of the land over which the said road passes releases in writing of all claims to damages that may arise from opening the same, and that they procured such releases from none.

X

the following persons having refused to release the damages to which they respectfully may be entitled by the reason of the location and opening of the said road, we, the undersigned viewers, after having considered the advantages to be derived to them, do assess them damages and make report thereof as follows: James McNeil twenty five dollars

and we herewith return releases obtained and copy of the notices.

WITNESS our hands and seals this 4th day of October
A. D. 1912.

Harry Ryers 
J. M. Tracy 
J. W. Will 

ROAD VIEWERS' NOTICE

NOTICE IS HEREBY GIVEN that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield County, Pennsylvania, to view private Road leading from twenty-five acre lot in-
proved land of R. T. Mc Neel

in Jordan Township to public road leading
from Fruitt Hill to New Millport

in Jordan Township, in the county aforesaid, will meet at the house of R. T. Mc Neel, in Jordan Township, on Friday, the 4th day of October A. D. 1912, at 1 o'clock P M., to attend to the duty assigned them, of which time and place aforesaid all parties interested will take notice.

Harry Byers
J. S. Mc Creary
J. W. Gill

VIEWERS

Clearfield Pa Sept 23, 1912.

Clearfield Co.

R. J. McNeil being affimered deposes and says
that he served the within notice on James McNeil
by leaving a true copy with adult members of his
family on the 28th day of Sept 1912.

affest

John Tracy Jr.

R. J. McNeil

John Tracy Jr.

2

